

Leslie A. Farber

From: Atkin, John C. <jatkin@foxrothschild.com>
Sent: Monday, March 04, 2019 4:00 PM
To: Leslie A. Farber
Cc: Bandlow, Lincoln D.
Subject: NJD-1228-TRNT; Strike 3 Holdings, LLC v. John Doe Subscriber assigned IP address 76.117.94.168; Dkt. No. 3:18-cv-16593-MAS-TJB

Ms. Farber,

While finalizing Strike 3's opposition to Defendant's motion to quash, I just discovered that Defendant's name and address were inadvertently revealed in your filing on the public docket. *See* [ECF No. 6-2 at p.9]. I have not attached this document here in the event there is a need to file this email with the Court, as well.

Although the document filed in ECF No. 6-2 is not subject to attorney-client privilege or work-product protections, and Strike 3 cannot "return" the document to you since it is filed on the public docket, *see* L. Civ. R. 5.2(18), we suggest the following to remedy this situation:

1. Carrying the instant motion [ECF No. 6] two cycles (returnable May 6) so that Defendant may file an appropriate joint motion to seal (returnable April 15), pursuant to Local Civil Rule 5.3, before Strike 3 files its opposition to the instant motion to quash.
2. Since it is clear from ECF No. 6-2 that Defendant was accurately identified as committing the alleged infringements in Lebanon, New Jersey by Plaintiff's geolocation software, we request that Defendant agree to withdraw its arguments pertaining to the accuracy of MaxMind's geolocation software and personal jurisdiction challenges in this matter, pursuant to your obligations under Federal Rule of Civil Procedure 11.

Please let me know if you agree to the above two items before **6pm EST today, March 4, 2019**.

If you do not agree, be advised Strike 3 will file its opposition today.

Thank you.

John Atkin

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